

November 11, 2021

EXHIBIT C

U.S. Department of Justice
Civil Division, Torts Branch
Ms. Hope L. Swann, Paralegal Specialist
P.O. Box 888, Benjamin Franklin Station
Washington, DC 20044

Dr. Fred L. Nance Jr. Whistleblower Complaint pursuant to National Defense Authorization Act

Ms. Swann:

I received your correspondence dated October 27, 2021 (attached). I received correspondence from the U.S. Department of Justice Office of Inspector General dated June 8, 2021. In this correspondence it states, "...Thank you for your correspondence received May 15, 2021...After reviewing your complaint, we have determined that the matters that you raised are more appropriate for review by another office within the DOJ. Therefore, we have forwarded your correspondence to: U.S. Department of Justice Office of Justice Programs General Counsel 810 7th Street, N.W. Washington DC 20531."

On June 9, 2021, I sent copies of my "online" filed Whistleblower Administrative complaint with attachments (64) via Certified mail to the U.S. Department of Justice Office of Justice Programs General Counsel 810 7th Street N.W. Washington DC 20531. I tracked my Certified mail receipts. My items were delivered at 4:52 am and 4:53 am on June 17, 2021.

Pursuant to the National Defense Authorization Act (NDAA) of 2013, amended 2016, I am protected under §828, which has a broader scope for whistleblowers, including employees of other federal contractors and subcontractors, employees of federal grant recipients or subgrantees, employees of entities that receive federal funds, and personal services contractors working on federally funded projects. See 41 U.S.C. §4712(a)(1).

Pursuant to NDAA Administrative Complaints: A NDAA reprisal claim must be filed initially with the Office of Inspector General (OIG) of the agency that awarded the contract or grant about which the employee disclosed wrongdoing (10 U.S.C. §2409(b)(1); 41 U.S.C. §4712(b)(1)). Once finished with the investigation, the OIG submits a report to the agency head and other relevant parties within 180 days of receiving the complaint, unless the whistleblower agrees to an extension (10 U.S.C. §2409(b)(2); 41 U.S.C. §4712(b)(2)). I am not agreeing to an extension of time!!! A whistleblower may file a lawsuit in federal court if he has not obtained relief within 210 days. (10 U.S.C. §2409(c)(2); 41 U.S.C. §4712(c)(2))

On June 8, 2021, Judge Alonso, in case #20-cv-06316, issued the following language in his memorandum order "For the reasons set forth above, the Court grants the government's motion [31] to dismiss. Plaintiff's FTCA claim is dismissed without prejudice (and without leave to amend). The remaining claims against the government are dismissed with prejudice." I appealed this matter. The Appellate Court denied my appeal for lack of jurisdiction. Basically, stating the case was not over.

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Therefore, on or about December 17, 2021, I will re-file my federal complaint against DOJ, BJA, OJP in the 7th Circuit Court pursuant to not having any relief within 120 days of filing the complaint with OIG. (10 U.S.C. §2409(c)(2); 41 U.S.C. §4712(c)(2))

/s/Dr. Fred L Nance Jr
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Attachments:

U.S. Department of Justice Letter dated October 27, 2021 (1 page)
U.S. Department of Justice Letter dated June 8, 2021 (1 page)
Dr. Nance's Letter dated June 9, 2021 (3 pages)

cc: Nance v DOJ et al. Case #20cv06316